

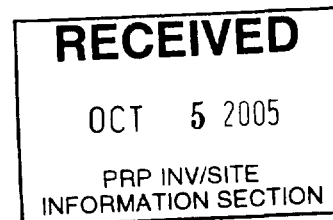


SDMS DocID

2075273

Richard S. Crummins
Associate Counsel

October 3, 2005



Via Overnight Mail

Mr. Harry R. Steinmetz (3HS62)
U.S. Environmental Protection Agency, Region 3
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

RE: Safety Light Corporation Site (Bloomsburg, Pennsylvania)

Dear Mr. Steinmetz:

Thank you for your consideration in granting the University of Rochester an extension of time until October 3, 2005, to respond to the information request pursuant to Section 104(4) of CERCLA contained in your letter of July 21, 2005. This extension was confirmed by a letter from our counsel dated August 11, 2005.

The following are the responses of the University of Rochester to the information requests. However, to briefly capture the essence of the response, the University has no relevant records concerning waste disposal at the Safety Light Corporation Site in Bloomsburg, Pennsylvania, and believes that the ledger page supplied with your July 21, 2005 letter evidences the purchase of radioactive material from that company. Accordingly, the University of Rochester should be eliminated from the list of potentially responsible parties in connection with this site.

The responses below were compiled by Thomas L. Morgan, Ph.D., Radiation Safety Officer for the Radiation Safety Unit ("RSU") of the University of Rochester. In his investigation, he searched all of the files of the RSU, contacted the University Archives and Purchasing Departments, and obtained further information from the U.S. Nuclear Regulatory Commission and U.S. EPA web-sites. He also interviewed all living former University RSU officers.

1. **Describe in detail the business relationship between Rochester and Safety Light.**

Response: Due to routine document retention policies, the University of Rochester's RSU has **no** records showing any business relationship with the Safety Light Corporation. The University's document retention policy is attached as **Exhibit 1**.

Our review of the ledger sheet attached to the EPA letter [attached as **Exhibit 2**], in light of unrelated but similar documentation found in our records from approximately the **same** time period, leads us to the conclusion that the University likely **purchased** radioactive materials from Safety Light in 1955. The following observations support that conclusion:

- i. In the upper right hand corner of the ledger sheet there is a notation "Sr-90." This is a radioactive isotope of the element strontium.
- ii. On lines two and three, the following entry is found "Authorization 31966 Mar. 4, 1955, Exp. Dec. 31, 1955." RSU files contain numerous forms entitled *Authorization for Radioisotope Procurement* [Form AEC-374] (these were issued by the Atomic Energy Commission in the 1950's in response to an *Application for Radioisotope Procurement* [Form AEC-313]). The files reflect serial numbers ranging from 8000 to 48000. The University would have been required to enclose a copy of AEC-374 procurement approval from the AEC along with the purchase order for any radioactive materials being purchased. "Authorization 31966" is consistent with this numbering scheme.
- iii. "Mar. 18 P-51903-1" appears on lines 4 and 5. This appears to be a date notation and possibly a purchase order number.
- iv. The entry "Isolite #431 Sr 90" on line 4 is consistent with a catalog number and a feature option indicating that Sr 90 was included in the product.
- v. Also on lines 4 and 5 appear "3.0 u Request 2.5 u to U. R." This entry is consistent with 3 microcuries (uCi) requested and 2.5 microcuries (uCi) sent to the University.
- vi. Also, if this ledger was intended to represent a receipt of radioactive waste, there is far too little information on this page.

Although we could not locate the authorization form applicable to this specific transaction, please find enclosed as **Exhibit 3** an Application for Radioisotope Procurement [Form AEC-313] and as **Exhibit 4** an Authorization for Radioisotope Procurement [Form AEC-374] as examples from the time period. These documents corroborate the interpretation that this transaction was a purchase.

In short, this ledger book page indicates that the University of Rochester *purchased* radioactive materials from SLC on or about March 18, 1955. This ledger page is not consistent with radioactive material transfer to SLC as waste.

2. **Did Rochester ever transport and/or broker hazardous substances and/or radioactive waste or other wastes that were disposed of or reclaimed by U.S. Radium, Lime Ridge Industries, USR Industries, USR Metals, Metreal, Isolite to the Site?**

Response: The RSU has been unable to locate any records of waste shipments made prior to 1980. Interviews with prior Radiation Safety Officers indicate no recollections of waste disposal to the Safety Light Corporation Site during that time period (1950s). Based on those interviews, wastes at that time were probably shipped to a site in West Valley, NY.

3. **If you answered "yes" to Question 2, please answer the following questions:**
- a. **Provide the name, current address (or most recent address available), telephone number, and contact person for each customer/generator/transporter for which you transported/brokered hazardous substances, radioactive waste or other wastes.**
 - b. **Provide the time period during which you transported/brokered each customer/generator/transporter's hazardous substances, radioactive waste or other wastes.**
 - c. **For each customer/generator/transporter for which you transported/brokered hazardous substances, radioactive waste or other wastes, provide:**
 - i. **the entity which received the hazardous substances, radioactive waste or other wastes (i.e., U.S. Radium, Lime Ridge Industries, USR Industries, USR Metals, Metreal, Isolite);**
 - ii. **the type of hazardous substances, radioactive waste or other wastes that was disposed/reclaimed;**
 - iii. **the amount of hazardous substances, radioactive waste or other wastes transported/brokered to the Site by you;**
 - iv. **the dates of the pickup/delivery of the hazardous substances, radioactive waste or other wastes;**
 - v. **all personal and internal company documents and correspondence regarding the type and amount of hazardous substances, radioactive waste or other wastes, dates transported/brokered to the Site, and transactions with U.S.**

Radium, Lime Ridge Industries, USR Industries, USR Metals, Metreal, Isolite;

- vi. **the name, title, areas of responsibility, current (or most recent) addresses, and telephone numbers of other parties that have documentation or information pertaining to the transportation/disposal of hazardous substances, radioactive waste or other wastes at the Site.**

Response: RSU's response to question 2 was "no" so this question is not applicable.

- 4. **Did Rochester ever generate radioactive wastes or other wastes that were disposed of or reclaimed by U.S. Radium, Lime Ridge Industries, USR Industries, USR Metals, Metreal, Isolite at the Site?**

Response: None known.

- 5. **If you answered "yes" to Question 4, please address the following issues:**
 - a. **Please provide the following information regarding all wastes and by-products produced by your company during the period 1945 to the present:**
 - i. **the nature of radioactive waste or other wastes, hazardous substances, and/or by-products used, including their chemical content, characteristics, and physical state (i.e., liquid, solid, gas, or in the form of contaminated rags, cups, containers). Provide chemical analyses and Material Safety Data Sheets ("MSDSs"). If these analyses are not available for the period 1977-1991, submit analyses for the time period closest to these dates and describe, in detail, any changes in the process(es) in which radioactive waste or other wastes were produced that would affect the chemical analyses;**
 - ii. **the annual quantity of radioactive waste or other wastes, hazardous substances, and/or by-products used or generated;**
 - iii. **the process(es) in which radioactive waste or other wastes, hazardous substances, and/or by-products were used or the process(es) that generated each;**
 - iv. **the types of containers used to treat, store, or dispose of radioactive waste or other wastes, hazardous substances, and/or by-products; and**
 - v. **the method of treatment and/or disposal of the above.**

- b. **Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons, including you, who, during the period 1945 to the present, may have:**
 - i. **disposed of or treated radioactive or hazardous materials at the Site;**
 - ii. **arranged for the disposal or treatment of radioactive or hazardous materials at the Site; and**
 - iii. **arranged for the transportation of radioactive or hazardous materials to the Site (either directly or through transshipment points) for disposal or treatment.**
- c. **If your response to the above includes the contracting of a hauler or transporter to transport and/or dispose of wastes, explain these arrangements and provide documentation confirming the nature of those transactions. Please identify:**
 - i. **the persons with whom you, or other such persons, made such arrangements;**
 - ii. **every date on which such arrangements took place;**
 - iii. **for each transaction, the nature and quantity of material, including its chemical content, characteristics, physical state (i.e., liquid, solid), and the process for which the substance was used or the process that generated the substance;**
 - iv. **the precise locations at which each material was disposed or treated at the Site;**
 - v. **the persons who selected the Site as the place at which materials were disposed or treated;**
 - vi. **the final disposition of each material involved in such transactions; and**
 - vii. **the names of employees, officers, owners, and agents for each transporter.**
- d. **For each and every instance in which you/your company arranged for disposal or treatment of material at the Site, identify:**

- i. the quantity (number of loads, gallons, drums) of materials that were used, treated, transported, disposed, or otherwise handled by you; and
 - ii. any billing information and documents (invoices, trip tickets, manifests) in your possession regarding arrangements made with your company to generate, treat, store, transport, or dispose of materials at the Site.
- e. Provide the names, titles, and areas of responsibility of any persons, including all Rochester employees, present and former, who are knowledgeable of the waste disposal practices of your company during the period 1945 to the present. Include current addresses and dates of birth for former employees.
- f. Describe any permits or applications and any correspondence between Rochester and any regulatory agencies regarding materials transported to or disposed of at the Site.
- g. Provide copies of any correspondence between Rochester and any third party regarding materials transported or disposed of at the Site.
- h. Provide the identity of, and copies of any documents relating to, any other person who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such materials to the Site.
- i. Provide the identities of all predecessors-in-interest who, during the period 1945 to the present, transported to or stored, treated, or otherwise disposed of any materials at the Site and describe in detail the nature of your predecessor-in-interest's business.
- j. Provide the name, title, address, and telephone number of the person answering these questions on behalf of the respondent.
- k. For each question, provide the name, title, area of responsibility, current address, and telephone number of all persons consulted in preparation of the answers, or who supplied documents reviewed or relied upon in the course of preparing your answers.

Response: None known.

- 6. If you have reason to believe there may be persons able to provide more detailed or complete responses to any question contained herein, or who may be able to provide additional responsive documents, provide the names, titles,

areas of responsibility, current addresses, and telephone numbers of such persons as well as additional information or documents they may have.

Response: None known. The UR's Atomic Energy Project was a contract administered by the Atomic Energy Commission, which subsequently became a part of the Department of Energy, and which may have additional relevant documents. Since the UR's Atomic Energy Project was terminated in 1985, the UR RSU has no information on who within the DOE might have additional relevant information, if any.

7. **For each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody, or control, then provide the names, titles, areas of responsibility, current addresses, and telephone numbers of the persons from whom such information or documents may be obtained.**

Response: None known. See response to item 6 above.

8. **If you have any other information about other party(ies) who may have information that may assist the Agency in its investigation of the Site, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.**

Response: None known. See response to item 6 above.

9. **If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If pertinent records or documents were destroyed or are missing, provide us with the following:**

- a. **Your document retention policy.**

Response: See the record retention policy attached as Exhibit 1.

- b. **A description of how the records were destroyed (burned, archived, trashed, etc.) and the approximate date of destruction.**

Response: See the record retention policy attached as Exhibit 1.

- c. **A description of the type of information that would have been contained in the documents.**

Response: Unknown.

- d. **The name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.**

Response:

- J. Russell Hayes, technician (1950s to early 1970s), deceased
- Herbert W. Mermagen, radiation safety officer (1950's to early 1970s), deceased
- David Maillie, radiation safety officer (early 1970s to 1980s), (b) (6)
[REDACTED]
- Winborn Gregory, radiation safety officer (1980's to 1990s), 6330 (b) (6)
[REDACTED]
- William G. Rhodes, radiation safety officer (1990's), (b) (6)
[REDACTED]
- Bernard Quinn, C.H.P, radiation safety officer (1990s), (b) (6)
[REDACTED]
- P. Andrew Karam, Ph.D., C.H.P, radiation safety officer (late 1990s to 2003), (b) (6)
[REDACTED]

From the available information, it does not appear that the University of Rochester disposed of any waste materials at the Safety Light Corporation Site, although the ledger sheet supplied with the information request is consistent with documentation of a purchase of a small quantity of a radioactive isotope (Sr-90). The University will supplement this response if any new information becomes available, and will provide copies of any responsive documents that are found.

The University requests that EPA provide whatever additional documentation, should any exist, that is alleged to connect the UR to the site so that we may further evaluate whether there is potential responsibility for cleanup activities at the site. Based on present information, it does not appear the UR is a responsible party.

Mr. H. Steinmetz
October 3, 2005
Page 9

Please call if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard Crummins', with a stylized, flowing script.

Richard Crummins, Esq.

cc: Jean H. McCreary, Esq. (Nixon Peabody LLP)

EXHIBIT 1

A GUIDE TO RECORDS MANAGEMENT

University of Rochester

1988

**Prepared by Ernest M. Wright, Jr.
for the Associate Vice President for Administration**

Table of Contents

University Policy on Records Management	1
Why a Policy on Records Management?	3
Essentials of a Successful Records Management Program	3
The Records Inventory	4
Official vs. <i>Information</i> or <i>Working</i> Copies	6
Classification System	6
Record Retention Schedules	6
To Minimize Records Problems -- Fewer, Better Records	9
Microfilm, Microfiche, Other Technologies	9
Destruction of Confidential Records	10
Suspension of Destruction of Records	11
Making the Records Management Program Work	11
University Archivist	11
Steps in Setting Up a Departmental Records Management Program	12
Sample Records Management Program	14
List of Standard Retention Periods for Certain Records	19
Index	22

University of Rochester Records Management Policy

The nature of the University's work and the decentralization of most of its operations management militate against a centralized records authority and facility. Therefore, it is the University's policy instead to encourage the development of local records management programs to improve the efficiency and the effectiveness of our handling and storing and disposition of recorded information.

However, the vital importance of information handling in the University's work requires the definition of our basic standards and at least general consistency of approach in managing records. This publication addresses those standards and suggests the essentials of a broadly, but probably not universally, applicable approach to their management.

The basic principles of good records management can be applied advantageously in any situation where recorded information is handled. Those principles, in short, call for (1) the orderly identification and classification of the kinds of information the organization deals with; (2) an appraisal of how, where, when, and in what form that information flows; (3) development of a systematic plan for its storage and retrieval; (4) determination of proper retention periods for records; and (5) disposal of outdated records based on the assigned retention periods. Particularly for larger departments and those dealing with heavy volumes of information, formalized records management programs can yield substantial savings in staff time, and in storage space and equipment costs.

Each records management program should include the following components, and compliance with that standard is a key element of the University's policy on records management.

University Records Management Program Criteria

1. The records management program of an organizational unit should be maintained in writing, and should identify the individual (position) responsible for seeing that provisions of the program are followed and for resolving questions about it. A copy of the unit's written program and of each revision should be forwarded to the Reference Department in Rush Rhees Library. That department will maintain a registry of local records management programs for reference by UR users.
2. Provision should be made for periodic review of the program, and the related information flows, by responsible departmental or college officers and for revisions as necessary to meet changing requirements.
3. The program should apply not only to paper records but also to information in any other medium, including computer-stored records, microfiche and microfilm, photographs, videotapes, etc.
4. An essential component of the program will be a Records Classification and Retention Schedule developed after a careful records inventory. Retention periods must consider the value of the information in relation to the cost of maintaining it, and must meet legal requirements.
5. Whenever a record exists in multiple copies, one record should be designated as the "official file"; the additional record(s) should be retained only so long as justified by local operating needs.

6. Consistent with the principle in 5 above, when records are converted microform, originals should not be kept.

7. The program must include a mechanism for temporary suspension of normally scheduled destruction of particular records when legal proceedings require their preservation.

Much of the work of the University depends on the creation, storage, retrieval, processing and exchange of information. Effective management of records can be realized only with informed and intelligent planning by responsible individuals who have examined how, when and where information-handling activities are carried out, and by whom. An objective analysis of information processing in and of itself can contribute significantly to the overall success of a function, but it is an essential precursor to the development of sensible records management.

A key ingredient in any successful records management program is regular, routine disposal of records that are no longer useful, including, when appropriate, transfer to inactive storage for specified periods prior to disposal. Also of critical importance is the identification of those records which have permanent value to the University, and provision for their preservation and access to them.

Effective records management requires the establishment of retention schedules for various kinds of records. Regular purging is important. Without such regular retirement of outdated records, it becomes harder and more costly to access the records that are retained, storage equipment costs rise, and space is wasted.

"Guide to Records Management"

This "Guide to Records Management" offers information and suggestions, and includes a sample records management program for an office, department or project.

It presents a list of retention periods which should be used as a general standard for various listed sorts of records. The list, of course, includes only a small fraction of the many kinds and classes of records dealt with in University functions and activities, but the principles evident in the included retention schedules should make it easier for managers to establish such schedules for various types of material.

SELECTED OTHER STATEMENTS OF UNIVERSITY POLICY PERTAINING TO RECORDS:

- January 17, 1977 policy statement on University of Rochester Student Files
- University Personnel Policy number 402 on Personnel Record Retention
- University Personnel Policy number 410 on Release of Personal Information
- Manual for Research and Sponsored Activities, section 5.2
- User's Guide to Purchasing Services, section 756.0

Such policies will continue to be appropriate, as they are consistent with the goal of general policy--to help promote records handling practices that are carefully planned and effectively carried out in accordance with accepted standards.

Why a Policy on Records Management?

The University policy on records management reflects the fact that information handling and records are so central to so many UR activities and engage so many University dollars and hours of staff time. It is vital that they be managed well. The policy calls for the development of local records management programs and offers guidelines to assist in that undertaking. The policy and this handbook, with its suggested retention periods for many kinds of records, can help to resolve questions of records retention which may not have been dealt with adequately in the past. One of its goals is to avoid the enormous costs that can result when--in the absence of guidance--one follows the common practice of keeping everything.

The 1987 cost of maintaining one four-drawer file cabinet of active records has been estimated at \$800 per year, considering equipment, space and clerical support costs. Another study has indicated that for every clerical worker in the United States there are four file drawers of paper stored, and that the volume of paper is increasing 20 percent per year (doubling in four years). These figures underscore the imperatives of enlightened records management programs that feature realistic retention schedules.

The policy and handbook should materially aid departments in defining records-handling responsibilities and functions, and it should assist individuals in locating information quickly and efficiently (including information from other departments) and in--among other things--avoiding vain searches for documents that no longer exist.

Essentials of a Successful Records Management Program

A successful records management program will provide a system that identifies all information that must be dealt with, arranges the information in such a way that it can be found quickly when needed, and assures that information will be kept long enough to meet reasonably anticipated operational requirements (including necessary documentation of history) and legal obligations, but no longer.

The program will consider the flow of information during the course of its useful life, and will look at the media employed for its storage as well as the mechanisms used for its retrieval and processing.

To be successful, a records management system must be understood by those who use it. It also must be regularly reviewed and revised to adapt to changing needs. Although the system imposes certain limits and controls on how things are done, those limits and controls serve to free its users from the confusion and inaccessibility of information that would prevail in their absence.

The Records Inventory

The records inventory is the basic first step in setting up a records management program. In the records inventory the user identifies all the records that must be dealt with. It is essential to know just what the records are before the best way of classifying and organizing them can be determined.

A records inventory is a systematic compilation of brief descriptions (often simply captions) of the contents of each set of files (including those in inactive storage), whether they are on paper (including forms and card files); microfilm or microfiche; computer tapes, diskettes, and the like; drawings; maps; photographs; videotapes; etc.

The inventory should list every "records series." A records series is defined as "a group of identical or related records that are used, filed, and disposed of in the same way."

There may be many file folders, or microfiche sheets, or computer tapes in a given records series. It is not necessary in the records inventory to catalog these individual components--identification of each series is sufficient. But it is important to assure that a given records series contains only individual records that properly belong in that series. All the records in a given series should have the same retention period--that is, one rule for disposal should apply to all. (A subsequent section in this handbook deals with record retention schedules.)

Certain key attributes of each records series should be listed, such as: arrangement method (sequencing rule) used in filing or ordering the items in the series, storage medium (paper, magnetic tape, microfiche, etc.), useful life as an active--and when applicable, as an inactive--record, indication of whether the information is duplicated or summarized elsewhere and if so which is the official copy, volume, annual accumulation rate, access frequency, any special rules about confidentiality, and other pertinent data.

Most systems for storage of large sets of files require measurement in cubic feet. A handy rule of thumb for determining volume of paper records is that one letter-size file drawer (old style) holds 1.5 cubic feet (2 cubic feet if legal size); for transverse files, 15 inches of letter-size files equals 1 cubic foot (12 inches of legal-size files equals 1 cubic foot).

Of particular importance can be the identification of how the record is used--why it is needed, who must have access to it for what purposes, and how it affects functions within or outside the organizational unit. It is important that whoever does the inventory be familiar with the files and also be given clear instructions for completion of the records inventory form, including definitions of terms to be used in listing attributes of the records series.

(Note: Records that have historic value should be reviewed by and when possible transferred to University Archives in Rush Rhees Library--Department of Rare Books and Special Collections--when they are no longer needed by the office, department or committee that has been responsible for them. The University's Archivist must make the determination as to whether or not given records have historical value to the University. The Library may not always have space to store historically valuable material. However, the University Archivist's decision that material should not be destroyed is binding on other University divisions, which will have to make provisions for retention, and exceptions may be made only with the concurrence of the Provost.)

A simple records inventory form can be helpful in the process of identifying the different records series and listing their attributes. An example appears on the opposite page.

Unit and/or Department or Office:

College, School or Division:

UNIVERSITY OF ROCHESTER--RECORDS INVENTORY

Name of records series:

While active

While inactive

Physical location:

Responsible person:

Description of contents:

Statement of how contents are used:

Confidentiality:

Subject to audit?:

Arrangement method for sequencing records in the series:

Active records

Inactive records

Present volume (no. of records):

Present volume (cubic feet):

Date span of records (from-to):

Accumulation rate (records/yr):

Accumulation rate (cubic ft/yr):

While active

While inactive

Useful life:

Access frequency:

Storage medium:

Are records duplicated elsewhere?: If yes, where?:

Which is the official record?:

Are records summarized elsewhere?: If yes, where?:

Additional comments:

Retention code assigned:

Approved by:

Date:

Official vs. *Information* or *Working* Copies

In most cases the useful life of information or working copies should be shorter than that of official copies.

With certain records (personnel or accounting records, for example) the official copies are those maintained in the administrative office responsible for the function to which the records relate. In the case of correspondence--and with most reports--the originator's copy is often considered the official copy even though it may not be the original. In the records inventory, a determination is made about each kind of record as to whether it represents the official copy or a duplicate (information or working copy).

When information or working copies are generated they should be marked as such. The University's records management guidelines call for retention of duplicate copies of records only so long as operating requirements justify the cost of keeping them.

Classification System

When the records inventory is complete--all records series having been identified and their attributes described--the inventory forms should reveal how the several records series relate to one another as well as the way in which the individual items are organized within each records series.

The overview provided by the collected inventory forms can help in working out the most efficient organization (classification) scheme for the records series--categories or divisions can be worked out and the records series allocated among them. (Any change of sequencing arrangement within a records series should be reflected on the records inventory form for that series.)

Information on how files are used and who needs to see them may support some physical rearrangements of storage locations or changes in the arrangement of component files within a series.

Once decisions on organization are made, a complete listing of all the series should be produced, arranged within appropriate major categories. This list, after the addition of retention periods (see next section), becomes the Records Classification and Retention Schedule.

The records management program could fail entirely if it is not well understood and its principles consistently followed. Therefore, the classification system should be kept relatively simple.

Record Retention Schedules

Much of the work of developing the record retention schedule will have been done in the records inventory. When the classification refinement process has yielded the final current list of records series, all that is necessary is to add the retention code for each listed records series. With that addition, the edited records inventory becomes the Records Classification and Retention Schedule.

Retention periods (useful life or legally-required retention) for both active and inactive storage, as noted on the records inventory form for each records series, should be reviewed again to assure that each one provides for retention while, but only so long as, usefulness of the information or legal obligation justifies continuing storage.

When, during the life of a records series, there is a point when use drops markedly, the retention schedule should reflect that change. The schedule may prescribe that at that time the material be moved from one storage place to another or converted to a different storage form. The separation of "inactive" records from "active" records--their removal from prime office or operating space--can make it easier to use active records. Clogging active files with inactive records wastes space and time.

One common definition: An "inactive" set of records is one referred to less than once per file drawer per month. Each user, however, should arrive at a definition based on the particulars applying to the files in his or her area.

Movement called for in the retention schedule may also entail change of storage medium, such as from paper to microfilm, or from magnetic tape to computer printout.

The last section in this Guide lists standard retention periods for certain kinds of records. For some there are legal requirements that say how long records must be kept. The periods shown take into consideration recommendations from the University's legal counsel.

With some records it will be an event (the completion of a project, for example) rather than mere passage of time that will trigger disposal of the record or its transfer to inactive status. In many cases new information, or the production of a study or project report, will permit reclassification of a records series to inactive status, or for disposal.

To the complete list of records series emerging from review and refinement of the classification system the user should add retention data, as noted earlier. There should be a retention entry for every listed records series.

Some sort of simple coding of retention periods will make the Records Classification and Retention Schedule easier to read. Here is an example:

<u>Coding</u>	<u>Means</u>
3 yrs	Keep for 3 years and then dispose of
1 yr MFLM 5 yrs	Retain for 1 year, then microfilm (destroying the original), and dispose of the microfilm after 5 more years
2 yrs N 3 yrs	Retain for 2 years, then move to inactive status and dispose of after 3 more years
SUP	Retain until superseded, then discard
SUP N 1 yr	Retain until superseded, then move to inactive status and discard after 1 more year

P	Retain permanently
F	Discard after fiscal year end
F N 1 yr	Move to inactive status after fiscal year end and discard after 1 more year
T	Discard upon termination of study, project, contract, etc.
A	Send to Archives

In these examples, the codes that relate to events are "SUP," "SUP N 1 yr" and "T."

It will be important to establish a definite procedure for taking the purging and reclassifying actions that are called for by the retention schedule. If an institution faithfully abides by its formal records retention schedule, it is entirely proper from the legal standpoint not still to have records after the stated disposal time. However, a retention-disposal schedule that is not consistently followed affords less protection and the institution can be required to undertake extensive searches for records that may not exist at all.

Where time periods--such as "1 yr" or "3 yrs"--are shown, it must be clear when the period starts. Usually the origination date of a document or the date on which it was received will be used, but the schedule should specify which date is to be used under what circumstances.

If all the individual records in a given records series relate to a single project or a specific period of an activity, and the retention code for that series is "T," the same disposal date will apply to all the individual records: when the project or period ends, all those records can be disposed of.

A single records series could contain records representing different projects, each having a retention code of "T." Combining them into one records series would be permissible, since they all have a common retention period, "T." However, routine scheduled review of records for disposal or reclassification to inactive status is easier when all records in a given series have the same disposal or other action date. So in this case, separate records series would be desirable.

The purging/reclassifying procedure should specify how often files are reviewed to identify records that are due for disposal or reclassification because of the passage of time from a given starting point. Often an annual review done shortly after the close of each calendar year will suffice. However, if some retention periods relate to a July 1 or other fiscal year, a review at the close of each fiscal year would be in order.

In the event that the Records Classification and Retention Schedule is organized so that records series are listed in a sequence that does not match the physical or geographical arrangement of the files, a cross-listing of the schedule may be helpful. For example, a department may have several units, each with its own files, but a single departmental Records Classification and Retention Schedule. In that Schedule, a given records series--for example, Equipment Maintenance--may involve folders in several units, in several locations. Having an alternate version of the Retention Schedule with records series listed in geographical sequence (in the order in which they are found in the files) can simplify reviews for scheduled reclassification or purging.

To Minimize Records Problems -- Fewer, Better Records

The quantity of records to be stored depends on how much is kept and for how long. Decisions are made daily on whether or not to generate records and in what form. Records Classification and Retention Schedules identify records that are to be filed and specify how long they are retained.

If the records inventory identifies records clearly of only short-term value, they can be kept out of regular files.

Some documents simply can be read and discarded; others require action or decisions before they can be disposed of. Quick recognition of which is which, and then prompt action to avoid repeated handling of records, will save time and file space.

Is a record being created simply out of habit? A document may be generated each week or each month and sent to a list of recipients because that has been "established practice." The circumstances that originally justified the report may have changed. Periodic testing of the usefulness of any such communication is desirable, and can be done easily. A simple, check-the-boxes type return-addressed note attached to an issue of the report can ask recipients if the report is still necessary, if its content or frequency should be changed, or if the recipient no longer needs to receive a copy. That can eliminate unnecessary paper.

Development and use of appropriate forms may yield greater economy in records handling and more efficient communication of information. Care in the design of the forms and of the systems through which they operate can help avoid confusion that may result from uncoordinated proliferation of forms. Consultation on forms design is available through Purchasing Services.

In some cases, writing is not the best way to communicate information--a telephone call may be not only faster but more effective.

Microfilm, Microfiche, Other Technologies

The terms "microfilm" and "microfiche" are used both as nouns and as verbs, the noun referring to the product of the process designated by the verb. "Microfilm" usually relates to film in reels or rolls, generally 16mm or 35mm in width, bearing reduced-size images of documents, but the film may be mounted in cartridges or cassettes for easier handling. "Microfiche," often referred to as "fiche," relates to sheets of film, four inches by six inches or similar size, bearing multiple reduced images arranged in rows and columns.

Both vehicles permit storage of large volumes of information in very little space. With appropriate viewing equipment they provide for ready retrieval of data.

Two other common microforms are the aperture card, which mounts frames of microfilm in a standard-size data processing punch card, and microfilm jackets, which are about the size of microfiche and contain channels into which film can be inserted. Five strips of film containing 12 or more images per strip can be accommodated in one four-inch by six-inch jacket.

A particularly advantageous microform is computer output microfilm (COM). It is produced directly from computer output, substituting for paper printouts, and represents a very economical way of achieving microfilm or microfiche records.

A multitude of retrieval systems for use with microforms is available, including a number that are computer assisted.

Microfilm or microfiche storage can be very advantageous to those who must deal with high volume paper records, particularly when useful life extends over several years and infrequent updating is required. It is important, as borne out in University guidelines, to destroy originals after microfilm copies have been made. Of course, when computer output generates the records, use of COM skips the production of hard copy originals entirely.

Other new technologies affecting records management include electronic mail, word processing, optical scanning, communication networks, and so on. The growing popularity of the personal computer as an important tool in the work place is significant. Optical disk applications are adding exciting new capabilities in the efficient storage and handling of large volumes of information. These developments offer new economies in the handling of information and new challenges in determining how best to accomplish the transition to better ways of performing assigned functions.

Destruction of Confidential Records

There is a common tendency to view as confidential many records that do not in reality require extraordinary treatment. Most records when due for disposal can simply be tossed in the trash. Materials placed into compactor dumpsters are generally unretrievable and this approach can be considered reasonably secure disposal.

In the relatively few cases where there is no doubt that records require special treatment, one effective means of disposal--burning--is available at the Medical Center's incineration facility. Phone the Superintendent, Medical Center Physical Plant, ext. 5-4810; the Assistant Superintendent, ext. 5-6418; or the Administrator, Patient Services, Strong Memorial Hospital, ext. 5-3049 to discuss the material to be disposed of and to make an appointment for its incineration.

Burning of confidential material is most likely to be scheduled during afternoon hours. With paper materials it is not necessary to remove staples or paper clips. Large volumes can be handled, but such items as bulky computer listings and bound books may need to be divided into smaller pieces for best processing. An operator will always be present at the incinerator to determine which of several available feed methods is most appropriate. Where necessary, the owner of the material to be burned can observe the feeding of it into the incinerator, but a University ID badge must be presented by anyone who wishes to enter the incinerator area.

Small batches of material can be disposed of in two or three minutes, but the more bulky items will take longer. A one-foot stack of computer printout, for example, can take as much as a half hour to be drawn by auger feed into the incinerator.

Delivery of material to the incinerator is the responsibility of the material's owner.

Suspension of Destruction of Records

Any records management program must provide for temporary suspension of normal destruction of particular records when legal proceedings require it.

The standard retention periods presume normal operations; if court action or a government audit or enforcement proceeding involving any unit or official of the University is commenced, University counsel may advise that the standard disposal schedule for any related records and documents be immediately suspended. The dean or director concerned will suspend the disposals until legal counsel reports that the special retention obligations are dispelled.

Making the Records Management Program Work

A few key principles can help assure the success of a records management program. The first is to make use of the thoughts and ideas of those who daily use the records. Next is to write the program clearly--in terms all will understand. Then, review regularly to see that the program is being followed.

To supplement information contained in this Guide, the user may wish to review literature, including publications of the Association of Records Managers and Administrators (ARMA), 4200 Somerset Drive, Suite 215, Prairie Village, Kansas 66208. The ARMA Records Management Quarterly is a good source of information.

The staff of the Medical Center Copy Center includes people with expertise in the field of micrographics who can also assist in many general questions concerning records management. The Director of Legal Affairs and Risk Management, Strong Memorial Hospital, can provide guidance in specific records management questions in the Medical Center. The Office of Research and Project Administration can advise on certain other legal and contractual obligations, as can the Associate Treasurer.

University Archivist

The University Archivist, located in the Department of Rare Books and Special Collections in Rush Rhees Library, can provide counsel to departments that have records of possible historic value. In general, the University Archivist has the final authority to direct that material be retained because of its historic significance.

While the Library can advise on the possible historic importance of documents and on the likelihood that researchers will seek to make use of records, the Library is not staffed to guide records management programs or to rule on legal retention requirements.

NOTE: The Reference Department in Rush Rhees Library retains copies of individual colleges, departments or divisions' records management programs. They are available for reference by University people in records management, and will provide at least rudimentary guidance to researchers or historians seeking to know whether certain records are likely to exist and where they probably are. The reference librarians can also provide guidance to the literature on records management and the technologies involved in microforms, storage techniques, etc.

Steps in Setting Up a Departmental Records Management Program

("Departmental" here refers to whatever organizational unit is covered by the local program)

1. Discuss with staff the need for and goals of a departmental records management program, and UR policy concerning records management
2. Designate the departmental records management coordinator and any others who are to be responsible for particular parts of the department's files
3. Plan and then conduct the records inventory--
 - set the target date for finishing the inventory
 - adapt and distribute copies of the records inventory form shown in the Guide to Records Management
 - give instructions to those who will complete the forms (include written definitions of terms to be used, and of retention codes)
4. Compile the completed inventory forms, one for each records series (kind of record), and arrange the forms in a logical sequence--whether alphabetic, alphabetic within general subject category, in order according to the geographic location of the files, etc.
5. Review the information shown about each records series--
 - are the records being used? do they exist elsewhere, too?
 - can any records series be disposed of because it is too little used or is being retained elsewhere and is obtainable there when needed?
 - are the retention periods in active or inactive storage realistic, economically justified, and consistent with legal and general University standards?
 - should any records series be changed to a different medium (put on microfilm, for example, or kept in hard copy instead of on computer tape, or should any computer report be produced in COM--computer output microform)?
6. When all data from the inventory have been refined, working from the completed forms, develop a list that shows key information about each records series--
 - category (if applicable)
 - name of records series (and brief content description if title is not sufficient)
 - physical form and arrangement of records in the series
 - location(s)
 - retention code

7. Review ~~the~~ listed information and make any revisions necessary to correct inconsistencies or to achieve ~~best~~ organization--the result is the Records Classification and Retention Schedule, which will become the key element in the departmental records management program
8. Draft the written description of the departmental records management program, being sure to--
 - identify the person (position) responsible for answering questions and seeing that provisions of the program are followed
 - specify how, when and by whom records are to be checked against their retention periods to assure that actions are taken when called for
 - say how often the program will be reviewed and updated
 - spell out the procedure for temporary suspension of normal scheduled destruction of records in event of legal proceedings that require it
9. Hold a ~~me~~eting with all staff who deal with records, to discuss the draft program
10. Using ~~ideas~~ from that discussion, finalize the proposed departmental records management program and forward it to the appropriate Dean or Vice President for endorsement; then route a copy to the library of records management programs on file in the Reference Department in Rush Rhees Library
11. With the approved program in hand, go through all the records series, disposing of those that are outdated, changing media where called for, and moving records to inactive storage or to Archives in accordance with the new retention schedule
12. After the first month or two of operation of the new program, call a meeting of all staff who deal with records to assure that any outstanding questions are answered and any problems are resolved

Sample Records Management Program

Following is a simple example of what a Departmental records management program might look like.

ABC COLLEGE--XYZ DEPARTMENT RECORDS MANAGEMENT PROGRAM JUNE 1988

Information handling is an important activity of the XYZ Department. This document describes the present approved system for the handling of records that are generated, received, processed, stored, retrieved and disposed of by this department. It was installed on July 1, 1987 and was last reviewed by those who participate in these activities on June 13, 1988. It incorporates suggestions and other feedback from all those concerned. It will be formally reevaluated, with their help, no less frequently than once each year, and revisions as necessary will be approved.

Questions, suggestions or comments concerning the program should be directed to the Office Manager, who is responsible for answering questions, resolving problems and seeing that the program operates successfully.

Dating of Records

All records originated in the XYZ Department are to be dated, generally showing either the date the record was initiated or the date it was published or issued. All records received in the XYZ Department are stamped in, or marked, to show the date received. When a record is changed from active to inactive status and moved to the inactive files or to the Department's Archives, the change of status is noted if not on the individual record then on the folder, volume, box, drawer or disk heading, which is marked to show its inactive or archived status, and the date.

Records Classification and Retention

The accompanying Records Classification and Retention Schedule lists all the kinds of records we deal with under five major classifications, I - V. The various kinds of records are called "records series." A records series is defined as a group of identical or related records that are used, filed and disposed of in the same way (all have the same retention period).

For some of the records series there are file indexes that list the individual folders that make up the series. These file indexes are kept up to date by the person responsible for the maintenance of those records series.

For every records series there is a completed Records Inventory Form on file, telling how the records in that series are used, where they are kept and for how long, how fast they accumulate, how often they are looked at, whether they are duplicated or summarized elsewhere (and if so, which is the official copy), and providing other information and comments about them.

The Records Classification and Retention Schedule shows for each records series the kind of arrangement, or sequence, used to organize the records in that series, and also shows a retention code. The retention code indicates how long each record in that series is kept in the active file. It also shows whether the record is moved to the inactive files, and if so for how long, before it is disposed of or sent to Archives.

In the retention codes, "SUP" means "retain until superseded, then discard," "N" means "move to inactive files," "A" means "send to Archives," "T" means "discard upon termination of the study, project, contract, employee, specified status, etc." For example, the retention code for the records series "Studies Completed" is "1 yr N 4 yrs A." It means that each individual study record (folder) is retained in the "Studies Completed" file for one year, and is then moved to inactive status for another four years, after which it is sent to Archives.

Retention Reviews

The retention periods of records series with retention codes of "SUP" ("retain until superseded") or "T" ("retain until terminated") depend on events that may happen at any time. When a record is superseded, it is replaced by a new record, and the action required for the superseded record is taken at the time the record that supersedes it is filed. In the same way, when a study, project, contract, employee, specified status, etc. is terminated, the action called for by the "T" code is taken right away.

In those cases where a retention code specifies retention for a period of years, the records series carrying that code are reviewed once each year, or where months are specified, once each month. We have at

present only one records series that requires a review each month--correspondence of current value only, which is disposed of after two months.

In the cases where annual review is required, we do the review shortly after the close of the calendar year. We consider to be one year old all records bearing dates in the year that preceded the year just ended. Those with dates in the year before that are two years old, and so on.

As noted earlier, when a record is changed from active to inactive status or is sent to Archives, the new status is marked on the record (or folder, etc.) together with the date of the change.

Suspension of Normal Scheduled Disposal of Records

Certain legal proceedings may at any time require temporary suspension of normal records disposal procedures. In this case, written advice will be given to the Office Manager by the Department Head not to perform the normal scheduled record purging activity until further notice. If the suspension applies only to certain records series, that will be spelled out in the written notice.

While such a suspension is in effect it is essential that there be no destruction of the records specified in the notice.

When the period of suspension is over, written notice will be given to the Office Manager by the Department Head to resume normal operation of the Records Retention Schedule.

Approved by: Dale S. Brown, Head
XYZ Department

Date: June 15, 1988

The XYZ Department Records Classification and Retention Schedule follows.

ABC COLLEGE--XYZ DEPARTMENT
RECORDS CLASSIFICATION AND RETENTION SCHEDULE (6-88)

<u>Category</u>	<u>Records Series</u>	<u>Arrangement of Records</u>	<u>Retention Code</u>
I. Personnel Admin	Departmental Table of Organization	Chronological	SUP N 5 yrs A
	Faculty Meeting Minutes	Chronological	Permanent
	Faculty/Staff Personnel Folders	Alpha by name	T N 3 yrs
	Graduate Student Files	Alpha by name	T N 3 yrs
	Inquiries from Pro- spective Grad Students	Alpha by name	1 yr
	Operating Procedures	Alpha by procedure	SUP N 3 yrs
	Time&Attendance Records	Chronological	Curr FY+6 mos
	Vacation Schedule	Chronological	2 yrs
	Visa Status Corresp	Alpha by name	T N 3 yrs
II. XYZ Budget	Folders for Individ- ual Budget Years	Chronological	3 yrs N 3 yrs
	Furniture and Equip- ment Inventory	Geographic	SUP N 3 yrs
	Space Allocation	Geographic	SUP N 3 yrs
III. Operating Expenses	Cum Salary Reports	Chronological	3 yrs
	Other Accounting or Billing Reports	Alpha by report; chronological within report	3 yrs
IV. Client Services	Studies Requested	Alpha by name of requestor	T*
	Studies in Progress	Alpha by name of requestor	T*
	Studies Completed	Alpha by name of requestor	1 yr N 4yrs A
	Studies Declined	Alpha by name of requestor	1 yr N 4 yrs

V. General Corres- pondence	Correspondence of Current Value Only	Chronological	2 mos
	Correspondence con- cerning Publications	Alpha by publica- tion; chron within publication	3 yrs
	Correspondence with Consultants	Alpha by consltnt	3 yrs
	Correspondence with Vendors	Alpha by vendor	3 yrs
	Subject Files (other subjects)	Alpha by subject; chronological within subject	3 yrs

Note: All records are currently in paper form, and all are located in
the department's main office area

* Move to appropriate new records series

List of Standard Retention Periods for Certain Records

This list presents retention periods adopted by the University as general standards for the kinds of records shown. It takes into consideration recommendations of legal counsel, and assumes normal operation of programs and activities.

As noted in item 7 of the guidelines enumerated in the University's Records Management Policy, destruction of certain records must be suspended in certain circumstances. Except in such unusual circumstances, records should be disposed of in accordance with the University's general standards or as called for by retention schedules included in local records management programs.

In parentheses following each listed entry (except those marked "local copies") is the name of the office or organization responsible for the official copy of that record. Copies held elsewhere should be retained only so long as operating needs justify their separate maintenance. The University's records retention philosophy is to keep a record only so long as its operating (including instructional and research), historic or legal value requires its retention. Early disposal of copies other than the official one (usually within 1 to 3 years) is encouraged; if and when a copy is needed later, the holder of the official copy will provide one promptly upon request. The function of providing copies when other areas need them is an important aspect of the responsibility for custody of an official record.

Kind of Record

Retention Period (from date of origin unless otherwise noted)

accounting ledgers (Finance)	permanent
accounting statements--departmental (local copies)	3 yrs
accounting trial balances (Finance)	permanent
accounts payable monthly transaction listing (Finance)	current yr plus 1 yr
accounts payable vouchers, journal entries (Finance)	10 yrs
alumni class history files, honors records, governing board minutes (Alumni Relations)	permanent
alumni correspondence, events files (Alumni Relations)	5 yrs
applications for admission as undergraduate student (Admissions offices)	3 yrs plus 1 semester if not enrolled; filed with academic record if enrolled
applications for admission as graduate student (Graduate Admissions offices)	3 yrs plus 1 term if not enrolled; filed with academic record if enrolled
applications for appointment--faculty/associated academic/staff (Provost's Office, Deans' Offices, Personnel)	3 yrs if not appointed; filed with appointee record if appointed
budget files and computer statements (local copies)	5 yrs
canceled checks--accounts payable, payroll, petty cash (Finance)	7 yrs
catalogs--graduate and undergraduate (Registrar's Office)	permanent
central purchasing contract files (Purchasing)	4 yrs from date of expiration
checks-with-orders (Purchasing)	7 yrs
course schedules (Registrar's Office)	permanent

cumulative salary monthly statements--departmental (local copies)	3 yrs
employee medical records (University Health Services)	duration of employment plus 30 yrs
endowment files (Treasurer's Office)	permanent
equipment maintenance contracts (UR signer)	2 yrs after expiration
equipment maintenance history records (equipment-using unit)	5 yrs if equipment still in use
grant and contract records (ORPA)	
-signed original contracts and documentation--federal	6 yrs and 3mos after final payment
-proposals	1 yr after rejection
-current awards	3 yrs after final payment
-retired awards	3 yrs after final payment
Medicare contractor records, including those related to cost, maintained by UR Med Center as vendor of services to affiliated institutions that receive Medicare/Medicaid reimbursement (service provider)	4 yrs plus current yr
Medicare/Medicaid-related financial records, including billing and cost information and supporting clinical information (health care service provider)	6 yrs plus current yr
minutes, meeting	
-Board of Trustees committees (Univ Secretary)	permanent
-Board of Trustees (University Secretary)	permanent
-college, school, division faculties	permanent
-ad hoc committees (issuing office)	6 yrs, but longer retention may be called for depending on subject
-department, office, local committee (issuing office)	3 yrs, but longer retention may be called for depending on subject and historic value
-Senate (University Secretary)	permanent
patent/disclosure files and publishing agreements (ORPA)	17 yrs from date of application
payroll registers (PERC)	10 yrs
payroll/personnel appointment records--central UR files (PERC, Provost's Office)	10 yrs after death of retiree; 10 yrs after termination or death of staff member; 7 yrs after termination of non-payroll appointee; 5 yrs after termination of grad student employee and SMH house staff; individual faculty and University officer records retained permanently
payroll/personnel appointment records (local copies)	3 yrs
performance evaluations (PERC)	see payroll/personnel appointment records
petty cash records (local copies)	4 yrs
purchase orders and backup documentation (Purchasing)	7 yrs
purchase orders, purchase requisitions (local copies)	3 yrs

reference letters

- about students
- faculty, staff

retirement plan participation records (Personnel)

student academic records (college applicable)

student accounts, student account file folders
(Bursar's Office)

student employment time cards (PERC)

student loan file folders—federally guaranteed loans
(Student Loan Office)

student registration forms (Registrar's Office)

students' academic records (Registrar's Office)

time/attendance records ("time sheets") (PERC)

time/attendance records ("time sheets") (local copies)

travel reports (Finance)

travel reports (local copies)

Treasurer's reports (Finance)

Trustees, Board of, minutes (University Secretary)

tuition benefits records (Personnel)

University financial statements (Finance)

University financings—Dormitory Authority, etc. (Finance)

Workers' Compensation files (Personnel)

Workers' Compensation reports (local copies)

see student academic records

see payroll/personnel

appointment records

permanent

5 yrs after graduation

(10 yrs for Univ College);

for non-graduates, 10 yrs after

last period registered

7 yrs

10 yrs

5 yrs from date loan repaid

7 yrs

permanent

10 yrs

current FY plus 6 mos

10 yrs

3 yrs

permanent

permanent

7 yrs

permanent

permanent

7 yrs

3 yrs

Index

See also list of records by type, pages 19-21

archives, University	4, 11, 13
burning	10
classification	1, 6, 7, 14, 17
computer output microfilm (COM)	10
computer-stored records	1
diskettes	4
tapes	4
confidential records, destruction of	10
copies	1, 6, 10, 19
cost of records maintenance	3
criteria	1
disposal of records	2, 4, 7, 8, 10, 11, 16
forms, development and use of	9
historic value of records, determination of	4, 11
inactive records	7
incinerator	10
inventory	1, 4, 6, 9, 12, 15
legal proceedings	2, 11, 13, 16
microfilm, microfiche, microforms, micrographics	1, 4, 7, 9, 10, 11, 12
official copies	1, 4, 6, 19
policy	1, 2, 3, 12, 19
purging	2, 8, 16
records classification and retention schedule	1, 6, 8, 9, 13, 14, 15, 17
records inventory	1, 4
form	4
records management	1
Association of Records Managers and Administrators (ARMA)	11
guidance, assistance	11
local programs	1, 3, 11, 12, 19
periodic review of program	1, 3
policy, philosophy, UR	1, 2, 19
principles of good	1, 3, 11
registry of local programs	1
sample program	2, 14
steps to develop program	12
suspension of destruction	2
records series, definition of	4
retention periods, UR standard	2, 7, 11, 19
retention schedules	2, 3, 6, 7, 8, 9, 13, 14, 15, 16, 17, 19
storage	1, 2, 4, 6, 7, 9, 10

EXHIBIT 2

260 Catherine Blvd.
Rochester, N.Y.

University of Rochester

Dr 90

1	Authorization 31966	Mar. 4, 1955	2.5 mdc.
2		Dec. 31, 1955	2
3			3
4	MAR 18	Isolite # 431	Dr 90
5	P-51903-1		2.04 Rep. 4 2.5 mdc. O.P.
6			6
7	COMPLETE 3-18-55		7
8			8
9			9
10			10
11			11
12			12
13			13
14			14
15			15
16			16
17			17
18			18
19			19
20			20
21			21
22			22
23			23
24			24
25			25
26			26
27			27
28			28
29			29
30			30

BAG CONTENT PAPER
LOOSE LEAF SPECIALISTS
GOLDSMITH BROS., 77, NASSAU ST., N. Y. 8
America's Largest Stationers • Corlandt 7-7900

No. 70-3

001374

EXHIBIT 3

3095-1
E.S.4

Form AEC-313 (Rev. March 1951) B. B. No. 20-R027.1.		APPLICATION FOR RADIOISOTOPE PROCUREMENT FOLLOW ATTACHED INSTRUCTIONS		LEAVE BLANK	
TO: U. S. ATOMIC ENERGY COMMISSION, POST OFFICE BOX E, OAK RIDGE, TENNESSEE; ATTENTION: ISOTOPES DIVISION					
1. NAME AND ADDRESS OF APPLICANT (Institution, Firm, etc. Follow Instruction No. 8A) University of Rochester, Strong Memorial Hospital 260 Cattaraugus Blvd., Rochester 20, New York				2. DEPARTMENT TO USE ISOTOPE (Follow Instruction No. 8B) Radiology	
3. NAME AND ADDRESS OF INDIVIDUAL USER (Follow Instruction No. 9A) Dr. George Ramsey, Prof. of Radiology, Dr. Joe W. Howland, Prof. Radiation Biology					
4. EXPERIENCE OF THE USER (Follow Instruction No. 8B) see previous applications					
RADIOISOTOPE REQUESTED (Follow Instruction No. 4)					
5. ISOTOPE (Element and mass number) Iodine-131		6. CHEMICAL FORM Carrier free in neutral or weak buffer solution		7. QUANTITY (Microcuries or irradiated units) 1500 microcuries	
8. OTHER SPECIFICATIONS					
9. ITEM NO. (If any) IN U. S. AEC CATALOG		10. NAME AND ADDRESS OF SUPPLIER, IF KNOWN University of Rochester Isotope Center Rochester, New York			
STATEMENT OF USE (Follow Instruction No. 5)					
11. STATE PROPOSED USE OF RADIOISOTOPE AND GENERAL PLAN OF INVESTIGATION For diagnosis and treatment of hyperthyroidism and other diseases where iodine is being used clinically. Supplement to: 27011					
12. WILL THE RADIOISOTOPE BE USED IN HUMAN BEINGS? (Follow Instruction No. 6A) CIRCLE YOUR ANSWER: (YES) NO					
13a. HUMAN DOSAGE (in millicuries per patient)		b. NUMBER OF DOSES (per patient)		c. NUMBER AND TYPE OF PATIENTS	
Diagnostic approximately 10-30 mCi		Therapeutic based on clinical evaluation of diagnostic test, dose calculated to give 8-10,000 rep's.		D. COMPOUND ADMINISTERED	
				E. SAMPLE TO BE TAKEN FOR MEASUREMENT	
14. APPROVAL OF THE USER'S LOCAL ISOTOPE COMMITTEE (Follow Instruction No. 6B) THE LOCAL ISOTOPE COMMITTEE APPROVES THE HUMAN USE AS INDICATED IN ITEMS 11-13. ORIGINAL SIGNED BY JOE W. HOWLAND (Signature of Chairman, Local Isotope Committee)					
15. WILL THE RADIOISOTOPE BE USED IN LOWER ANIMALS?				CIRCLE YOUR ANSWER: YES (NO)	
16. IS A COMPLETED FORM AEC-313A A PART OF THIS APPLICATION? (Follow Instruction No. 7)				CIRCLE YOUR ANSWER: YES (NO)	
17. MAY THE ISOTOPES DIVISION RELEASE GENERAL INFORMATION REGARDING MATERIAL USED AND PURPOSE? (If your answer is "No," please state your reason here)				CIRCLE YOUR ANSWER: (YES) NO	
READ THE TERMS AND CONDITIONS ON THE BACK OF THIS SHEET AND SIGN THE CERTIFICATE THAT FOLLOWS—AN UNSIGNED APPLICATION CANNOT BE CONSIDERED					

Exhibit 1 (front)

TERMS AND CONDITIONS

In consideration of the issuance of an authorization from the Commission to enable the applicant to procure or obtain the radioisotopes or irradiation service requested hereon, the applicant agrees that:

1. Radioisotopes purchased or acquired from the Commission or a distributor are shipped f. o. b. the laboratory, plant, facility, or Commission office handling the transaction, at prices and service fees as fixed by the Commission, and title to said materials, if same are not already owned by the applicant, shall pass to the applicant when the materials are delivered to the carrier. When shipment of the materials requires the use of returnable Government-owned containers, title to such containers shall remain in the Government and a deposit to insure return of the containers will be made if required. The applicant will keep the containers in good condition, will not use them for any materials other than the materials shipped therein, and will return them to point of shipment, transportation prepaid, within 21 days of date of shipment.
2. Neither the Government, the Commission, nor any distributor will be responsible for:
 - (a) any damage to, destruction to, loss of, or changes in physical or chemical properties of materials of any kind accepted for a service irradiation, either as a result of, or in the process of, the irradiation or while said materials are in the possession of the Commission or a distributor;
 - (b) any injury to persons or other living things or for damage to property caused by handling, shipment, use (including use based on any statement of quality or quantity), storage, transfer, disposal, or reshipment of, or other act or failure to act in connection with any materials purchased or acquired from the Commission or a distributor, or procured from any source upon the Commission's approval, it being expressly agreed that, as between the Commission, the supplying distributor, and the applicant, the applicant assumes complete responsibility and liability for any such injury or damage occurring; Provided, however, That if such injury or damage is caused solely by the negligent packing of the Commission or a distributor this assumption of liability shall not apply.
3. Neither the Government, the Commission, nor any distributor makes any warranty or other representation that (a) materials accepted for a service irradiation will not be destroyed, damaged, or otherwise altered in physical or chemical properties in the process of irradiation, and (b) radioisotopes (1) will not result in injury or damage when used for the purposes approved by the Commission, (2) will accomplish the results for which they are requested and approved by the Commission, (3) are safe for any other use, or (4) are of a particular quality or quantity. When procuring radioisotopes from the Commission or a distributor the applicant agrees to report promptly whether the amount received represents the amount paid for, in order that discrepancies may be adjusted.
4. Neither the Government, the Commission, nor any distributor shall be responsible, irrespective of cause, for the failure of the Commission, and distributor, or other transferor to (a) deliver radioisotopes at specified times, or (b) deliver radioisotopes of stated quality.
5. When materials supplied for a service irradiation are:
 - (a) from an applicant not authorized to possess or use radioisotopes, the Commission or the distributor shall have the right to retain possession and control of the irradiated materials throughout the period of measurable activity of such materials, and unless otherwise stated in the request for service irradiation, may dispose of such materials in accordance with

the usual Commission or distributor disposal procedures for radioactive materials;

- (b) to be tested or analyzed and retained by the Commission or a distributor, such materials may, unless otherwise stated in the request for service irradiation, be disposed of in accordance with the usual Commission or distributor disposal procedures for radioactive materials.

It is expressly agreed that if any irradiated materials covered by (a) or (b) above must be retained by the Commission or a distributor in order to protect health and minimize other hazards to life or property, the applicant will pay all storage and maintenance charges connected therewith, and if any irradiated materials belonging to the applicant are disposed of under the provisions of this paragraph, the applicant shall have no claim for the value or replacement of said materials.

6. The Commission shall have the right to publish and use any information or knowledge acquired as a result of the irradiation of materials furnished by the applicant, including results of tests and analyses, made for the applicant in connection with any such irradiated materials.
7. The right to revoke or cancel, with or without cause, arrangements for or agreements for the purchase or acquisition of any radioisotopes from a distributor, including arrangements or agreements for service irradiations, is reserved to the Commission. In the event the Commission revokes, or cancels any arrangement or agreement for a service irradiation, the Government, the Commission, and the distributor shall be discharged of all obligations thereunder by return to the applicant of an amount of nonirradiated material of like kind, quality, and quantity as the material accepted for irradiation.
8. Title to and possession of all radioisotopes purchased or acquired from the Commission or from a distributor, or from any source on the authorization or approval of the Commission, remain subject to the Commission's statutory right to recall. Title to any materials recalled by the Commission shall vest in the Commission with the exercise of this right, and the Commission may enter and take possession of said materials any time after notice is given that the materials are being recalled: Provided, That if requested, the applicant, at his expense, will make shipment of the recalled materials to a destination designated by the Commission.
9. The applicant agrees to indemnify the Government, the Commission, their officers, agents, contractors, distributors, servants, and employees against liability, including costs and expenses incurred, for infringement of any Letters Patent occurring in the course of any service irradiation, test, or analysis performed for the applicant by the Commission or its distributors, or occurring in the utilization by the applicant of any radioisotopes or irradiated materials.
10. The applicant will furnish to the Isotopes Division six copies of each article published on the results of his investigations using radioisotopes or irradiation services, or will upon request furnish to the Isotopes Division a report of the results of his investigations.
11. Any radioisotopes received as a consequence of this application will be dealt with in accordance with all instructions, recommendations, or standards issued by the Commission for the safe use, handling, or disposal of radioactive materials.
12. All purchase orders and agreements for procuring radioisotopes are subject to the terms and conditions hereof and any contrary conditions of sale or transfer contained in such purchase orders or agreements will not apply.

CERTIFICATE

The applicant and any official executing this application in behalf of the applicant certify that the information stated herein is true and correct, that this application is made under and in conformity with Code of Federal Regulations, Title 10, Atomic Energy, Part 30, Radioisotope Distribution, and agree that this application and any materials procured pursuant thereto are subject to the terms and conditions on this page.

September 6, 1955
(Date)

ORIGINAL SIGNED BY JOE W. HOWLAND

(Signature of Applicant or Certifying Official)

Chairman, Isotope Committee
(Title)

WARNING

18 U. S. C., Sec. 1001; act of June 25, 1948; 62 Stat. 749, makes it a criminal offense to make a willfully false statement or representation to any department or agency of the United States or to any person within its jurisdiction.

Exhibit 1 (back)

EXHIBIT 4

Copy is for your files

Form AEC-374 (Rev. 1951) B. B. No. 28-R031.1	UNITED STATES ATOMIC ENERGY COMMISSION AUTHORIZATION FOR RADIOISOTOPE PROCUREMENT	SERIAL NO. 3118 35950 E.S. 4
The original of this form is the only approval for procurement and is not transferable. Duplicates are for information and record only.		
TO: University of Rochester Strong Memorial Hospital Department of Radiology 260 Crittenden Blvd. Rochester 20, New York		Supplement to 27011 DATE September 13, 1955
Attn: Dr. George Ramsey and Dr. Joe W. Howland		
Your application for radioisotopes is approved for the material indicated below, subject to and in accordance with your application and applicable laws and regulations. Issuance of this authorization to obtain and use radioisotopes for the purposes stated hereon and from the supplier(s) indicated is based upon the Atomic Energy Act of 1946, as amended, and regulations issued pursuant thereto. Shipment and use of the materials approved hereon may also be subject to control by other Federal, State, or local authority.		
1. ITEM NO.	2. ISOTOPE Iodine 131	3. FORM Iodide, preassayed by supplier; for oral use only
4. QUANTITY 1,500 millicuries		
5. YOU ARE AUTHORIZED TO USE THIS MATERIAL FOR THE FOLLOWING PURPOSE(S): Diagnosis of thyroid function. Treatment of hyperthyroidism.		
6. YOU ARE AUTHORIZED TO OBTAIN THIS MATERIAL FROM THE FOLLOWING SUPPLIER(S): To be procured from the supplier listed on Application Form AEC-313 (University of Rochester, Isotope Center, Rochester, New York) unless specifically modified by the Isotopes Division at request of the applicant.		
THIS AUTHORIZATION EXPIRES December 31, 1957 THIS AUTHORIZATION EXPIRES		FOR THE UNITED STATES ATOMIC ENERGY COMMISSION ORIGINAL SIGNED BY E. EUGENE FOWLER for Chief, Isotopes Division, Oak Ridge Operations, Oak Ridge, Tenn.
SPECIAL INSTRUCTIONS Except as otherwise provided herein, radiomaterials procured pursuant to this authorization shall be used at the location(s) and for the purpose(s) stated herein, in accordance with the Terms and Conditions of the Application Form AEC-313 and the Code of Federal Regulations, Title 10, Part 30, and by, or in the presence of or under the supervision of, the physicians named above.		
NOTICE TO SUPPLIER.—Advise the Isotopes Division promptly of all shipments made under this authorization.		

Exhibit 2